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ATTORNEYS FOR CLO HOLDCO, LTD. AND HIGHLAND DALLAS FOUNDATION, INC.

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

|   |   |                                 |
|---|---|---------------------------------|
| <b>In re:</b>                                 | § | <b>Case No. 19-34054-s gj11</b> |
|   | § |                                 |
| <b>HIGHLAND CAPITAL MANAGEMENT,<br/>L.P.,</b> | § |                                 |
|   | § | <b>Chapter 11</b>               |
|   | § |                                 |
| <b>Debtor</b>                                 | § |                                 |

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**OFFICIAL COMMITTEE OF §  
UNSECURED CREDITORS, §**

**Plaintiff,** §

**Adversary No. 20-03195**

**vs.** §

**CLO HOLDCO, LTD., CHARITABLE §  
DAF HOLDCO, LTD., CHARITABLE §  
DAF FUND, LP, HIGHLAND DALLAS §  
FOUNDATION, INC., THE DUGABOY §  
INVESTMENT TRUST, GRANT JAMES §  
SCOTT III IN HIS INDIVIDUAL §  
CAPACITY, AS TRUSTEE OF THE §  
DUGABOY INVESTMENT TRUST, AND §  
AS TRUSTEE OF THE GET GOOD §  
NONEXEMPT TRUST, AND JAMES D. §  
DONDERO,** §

**Defendants.** §

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**WITNESS AND EXHIBIT LIST**

CLO HOLDCO, LTD. and Highland Dallas Foundation, Inc.<sup>1</sup> (the “Charitable Defendants”) submits the following witness and exhibit list (the “Witness and Exhibit List”), and designates the following exhibits in connection with the plaintiff’s in the above-captioned adversary proceeding (the “Committee”) *Motion To Stay the Adversary Proceeding for Ninety Days* [Dkt. No. 46], set for hearing at 9:30 AM (Central Time) on May 20, 2021.

**WITNESSES:**

- 1) Any witnesses called or designated by any other party.
- 2) Any impeachment or rebuttal witnesses.

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<sup>1</sup> CLO HOLDCO, LTD. and Highland Dallas Foundation, Inc. have filed a *Motion to Withdraw the Reference* [Dkt. No. 24], and nothing herein shall be deemed a waiver of their right to a trial by jury on all claims asserted in this Adversary Proceeding nor consent to the entry of final orders in this Adversary Proceeding by the Bankruptcy Court.

3) Any witness needed to authenticate a document.

**EXHIBITS**

| No. | Exhibit  | Offered | Admitted |
|-----|--|---------|----------|
| 1   | <i>Application to Employ Teneo</i><br>Bankruptcy Case, Dkt. No. 2306                               |         |          |
| 2   | April 16, 2021 Email from C. Rognes Re: UCC v. CLO Holdco, et al. - extension on response deadline |         |          |
| 3   | April 19, 2021 Email from C. Rognes Re: UCC v. CLO Holdco, et al. - extension on response deadline |         |          |
| 4   | May 17, 2021 3:11 p.m. Email from C. Rognes Re: UCC v. CLO Holdco, et al. - motion to stay         |         |          |
| 5   | May 17, 2021 4:47 p.m. Email from L. Phillips Re: UCC v. CLO Holdco, et al. - motion to stay       |         |          |
| 6   | May 17, 2021 4:12 p.m. Email from L. Phillips Re: UCC v. CLO Holdco, et al. - motion to stay       |         |          |
|     | Any exhibit introduced by any other party  |         |          |
|     | Rebuttal exhibits  |         |          |
|     | Impeachment Exhibits   |         |          |

Charitable Defendants reserve the right to amend the forgoing, as needed.

Dated: May 20, 2021

Respectfully submitted,

**KELLY HART PITRE**

*/s/ Louis M. Phillips*

**Louis M. Phillips (#10505)**

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**CERTIFICATE OF SERVICE**

I, undersigned counsel, hereby certify that a true and correct copy of the above and foregoing document and all attachments thereto were sent via electronic mail via the Court's ECF system to all parties authorized to receive electronic notice in this case on this May 20, 2021.

*/s/ Louis M. Phillips*  
Louis M. Phillips